

CHAPTER 13

MUNICIPAL UTILITIES

- 13.01 Water and Sewer Utility Committee
- 13.02 Discharge of Unpolluted Waters
- 13.03 Abandonment of Wells

SEWER AND WATER UTILITY

- 13.05 Cross Connections with Public Water System
- 13.06 Rules and Regulations
- 13.07 Tampering with Water Meters

SEWER USE AND WASTEWATER RATE

- 13.10 Definitions
- 13.11 Use of the Public Sewers
- 13.12 Control of Industrial Wastes Directed to Public Sewers
- 13.13 Basis for Sewer Service Charges
- 13.14 Amount of Sewer Service Charges
- 13.15 Billing Practice
- 13.16 Right of Entry, Safety and Identification
- 13.17 Sewer Construction and Connections
- 13.20 Violations and Penalties
- 13.21 Appeals
- 13.22 Audit
- 13.23 Effective Date

<i>Section Number</i>	<i>Title</i>	<i>Ordinance Number</i>	<i>Date of Ordinance</i>
13.01	Water and Sewer Utility Committee		
13.02	Discharge of Unpolluted Waters	2005-1	06/07/05
13.03	Abandonment of Wells		
13.05	Cross Connections with Public Water System		
13.06	Rules and Regulations		
13.07	Tampering with Water Meters		
13.10	Definitions		
13.11	Use of the Public Sewers		
13.12	Control of Industrial Wastes Directed to Public Sewers	2005-1	06/07/05
13.13	Basis for Sewer Service Charges		
13.14	Amount of Sewer Service Charges		
13.15	Billing Practice		
13.16	Right of Entry, Safety and Identification		
13.17	Sewer Construction and Connections	2001-40	11/20/01
13.20	Violations and Penalties		
13.21	Appeals		
13.22	Audit		
13.23	Effective Date		

13.01 WATER AND SEWER UTILITY COMMITTEE.

- (1) **CREATED.** There is hereby created a Water and Sewer Utility Committee consisting of 3 members of the Village Board to be appointed by the Village President.
- (2) **POWERS.** The committee shall generally have jurisdiction as to all matters relating to the water and sewer utilities of the Village. The Committee shall supervise the operation of the water and sewer utilities. Subject to the approval of the Village Board, the Committee shall appoint a manager or superintendent and such other employees as may be necessary. The compensation, salaries, wages or benefits of all such employees shall be as established by the Village Board. The Committee shall see that all reports or other documents and papers required to be filed with government agencies, including, but not limited to, the Department of Natural Resources and the Public Service Commission, are prepared and filed as required.
- (3) **ORGANIZATION.** The members of the Committee shall meet and choose from among its members a secretary. They shall make and adopt rules of procedure and cause books and records of account of the water and sewer utilities to be kept in the manner and form prescribed by the Public Service Commission of Wisconsin, which books and records shall be open at all times for the inspection of the public during normal working hours.
- (4) **SEPARATE FUND.** The Village Clerk/Treasurer, under the direction of the Committee, shall keep a separate account of all moneys or income received from all water or sewer utility rates or charges collected relating to the water and sewer systems, and the fund thereby created shall be devoted to the expense of maintaining and operating such systems. Expenditures from such fund are to be made only upon orders approved by the chairman and secretary of the Committee. Checks issued against the account of the water and sewer utilities shall be signed by the Clerk/Treasurer and President. A monthly financial report shall be made to the Village Board by the Village Clerk/Treasurer.
- (5) **BUDGETS.** (Am. 1/19/88) Annually, on or before November 15 of each year, the Committee shall prepare and submit to the Village Board a proposed budget for the operation of the water and sewer utilities for the ensuing year. Upon approval of the Village Board, the budget shall constitute the budget for the water and sewer utilities for such year. This budget will also be submitted to the residents of the Village at a public hearing.
- (6) **ACCOUNTABILITY.** Annually, the Committee shall cause an audit to be made of the water and sewer utilities and shall submit a report thereof to the Village Board.

- (7) **EXTENSIONS AND EMERGENCY EXPENDITURES.** All extensions to the water and sewer systems shall be made by and under the direction of the Village Board. The Committee shall have the power to authorize emergency repairs subject to ratification by the Village Board.
- (8) **MAPS.** The Committee shall prepare and keep on file maps showing the location, size and type of all mains, valves, service pipes, hydrants and connections of the entire water works system and shall prepare and keep on file maps showing the location, size and type of all mains of the sanitary and storm sewers, and shall from time to time make such additions or alterations on such maps corresponding to the additions or alterations in the system. One map shall be kept in the office of the Committee and one in the office of the Village Clerk/Treasurer.

13.02 DISCHARGE OF UNPOLLUTED WATERS.

- (1) No person shall discharge or cause to be discharged any storm water, surface water, groundwater, roof runoff or subsurface drainage, which is not contaminated, into any sanitary sewer. Storm water and all uncontaminated drainage shall be discharged into storm sewers or to a natural outlet or watercourse in accordance with applicable laws, ordinances and regulations.
 - (a) Removal of water from the footing drains may be effected by means of a sump pump or other equally suitable method. Except as otherwise provided herein, the outlet or discharge point of any sump or other authorized discharge method shall be toward the front of the lot and shall not be nearer than 20' from the side yard line nor shall any person construct or cause or permit to be constructed any ditch or line from such discharge point toward the side yard line of such lot so as to cause the same to be discharged closer to the side yard line than is authorized herein. Where a lot is on a corner the water may discharge toward a side yard which abuts on a public street. (Rn. #97-15)
 - (b) Connection of Sump Pump to Storm Sewer System. (Cr. #97-15)
 - 1. Upon securing the necessary permit from the Village of Sturtevant, a property owner may connect his/her sump pump so that it discharges directly into the Village's storm sewer system. The cost of accomplishing such connection shall be borne by the property owner. The property owner shall also be responsible for restoring any areas disturbed by said work.
 - 2. At the written request of the property owner, the Village, in its discretion, may agree to accomplish connection of a property owner's sump pump to the Village's storm sewer system. Such request shall constitute a waiver

to a hearing on and consent to the imposition of a special assessment against the property for the cost of such connection, which shall be borne by the property owner. At the discretion of the Village, such amount may be repaid to the Village in the installments over a 5-year period, plus interest, all as more specifically agreed by and between the parties.

- (2) Where a property owner establishes to the satisfaction of the Village Board or its authorized representative that discharging to the front of the lot shall be unduly burdensome, the Village may grant a permit to discharge at some other location, provided the property owner and occupant shall consent to inspection of the sump discharge at all reasonable times by authorized personnel of the Village and in the event of a refusal of access for any such inspection, such permit may be revoked after a hearing before the Village Board or its authorized committee or representative.
- (3) During the annual “Winter Season” from December 1st to March 31st all “Sump Pump” connection not connected to the Village’s storm sewer system shall be:
 - (a) Directed in a manner to not cause the flowing of discharged water to cross into side yards not across sidewalks where icing conditions can form.
 - (b) All discharges of sump pump water directly into Village streets shall be discontinued during the winter season and shall be discharged in accordance with 13.02(3)(a).
 - (c) As a matter of “Safety” and “Concern” for Village residents all Village Departments are directed to monitor and take corrective actions whenever a condition is observed.
- (4) Any person who shall violate any provision of this section shall upon conviction thereof forfeit not less than \$100 nor more than \$1,000, together with the costs of prosecution.

13.03 ABANDONMENT OF WELLS. (Cr. #098-18)

- (1) **PURPOSE.** To protect public health, safety and welfare, and to prevent contamination of groundwater by assuring that unused, unsafe or noncomplying wells, or wells which may act as conduits for contamination of groundwater, or wells which may be illegally cross-connected to the municipal water system, are properly abandoned.
- (2) **APPLICABILITY.** This ordinance applies to all wells located on premises served by the Village of Sturtevant municipal water system.

(3) DEFINITIONS.

- (a) “Municipal water system” means a community water system owned by a city, village, county, town, town sanitary district, utility district or a federal, state, county, or municipal owned institution for congregate care or correction, or a privately owned water utility serving the foregoing.
- (b) “Noncomplying” means a well or pump installation which does not comply with §NR 812.42, Wisconsin Administrative Code, Standards for Existing Installation, and which has not been granted a variance pursuant to §NR 812.43, Wisconsin Administrative Code.
- (c) “Pump installation” means the pump and related equipment used for withdrawing water from a well including the discharge piping, the underground connections, pitless adapters, pressure tanks, pits, sampling faucets and well seals or caps.
- (d) “Unsafe” means a well or pump installation which produces water which is bacteriologically contaminated or exceeds the drinking water standards of §NR 812.06, Wisconsin Administrative Code, or for which a Health Advisory has been issued by the Department of Natural Resources.
- (e) “Unused” means a well or pump installation which is not used or does not have a functional pumping system.
- (f) “Well” means an excavation or opening into the ground made by digging, boring, drilling, driving, or other methods for the purpose of obtaining groundwater for consumption or other use.
- (g) “Well abandonment” means the filling and sealing of a well according to the provisions of §NR 812.26, Wisconsin Administrative Code.

- (4) ABANDONMENT REQUIRED. Except as otherwise provided herein, all wells on premises served by the municipal water system shall be abandoned in accordance with the terms of the ordinance and Chapter NR 812, Wisconsin Administrative Code, by April 1, 1999 or no later than one year from the date of the mandatory connection to the municipal water system pursuant to Section 13.06 of this Code, whichever date occurs last. A well on property connected to the municipal water system may be maintained for non-household uses only, provided a well operation permit has been obtained by the well owner from the Village Clerk/Treasurer.

- (5) **WELL OPERATION PERMIT.** The Village/Clerk Treasurer shall grant a permit to a well owner to operate a well for a period not to exceed 5 years providing the conditions of this section are met. An owner may renew a well operation permit by submitting information verifying that the conditions of this section are met. The Village of Sturtevant, or its agent, may conduct inspections or have water quality tests conducted at the applicant's expense to obtain or verify information necessary for consideration of a permit application or renewal. Permit applications and renewals shall be made on forms provided by the Clerk/Treasurer. The following conditions must be met for issuance or renewal of a well operation permit:
- (a) The well and pump installation shall meet or shall be upgraded to meet the requirements of §NR 812.42, Wisconsin Administrative Code, and have a functional pumping system.
 - (b) The well construction and pump installation shall have a history of producing bacteriologically safe water as evidenced by at least 2 samples taken a minimum of 2 weeks apart. No exception to this condition may be made for unsafe wells, unless the Department of Natural Resource approves, in writing, the continued use of the well.
 - (c) There shall be no cross-connections between the well's pump installation and the municipal water system.
 - (d) The proposed use of the well and pump installation can be justified as reasonable in addition to water provided by the municipal water system.
- (6) **ABANDONMENT PROCEDURES.**
- (a) All wells abandoned under the jurisdiction of this ordinance or rule shall be abandoned according to the procedures and methods of §NR 812.26, Wisconsin Administrative Code. All debris, pumps, piping, unsealed liners and any other obstructions which may interfere with sealing operations shall be removed prior to abandonment.
 - (b) The owner of the well, or the owner's agent, shall notify the Village Clerk/Treasurer at least 48 hours prior to commencement of any well abandonment activities. The abandonment of the well shall be observed by a representative from the Sturtevant Water Department.
 - (c) An abandonment report form, supplied by the Department of Natural Resources, shall be submitted by the well owner to the Clerk/Treasurer and the Department of Natural Resources within 30 days of the completion of the well abandonment.

- (7) **PENALTIES.** Any well owner violating any provision of this ordinance shall upon conviction be punished by forfeiture of not less than \$5.00 nor more than \$500.00 and the cost of prosecution. Each day of violation is a separate offense. If any person fails to comply with this ordinance for more than 30 days after receiving written notice of the violation, the municipality may cause the well abandonment to be performed and the expense to be assessed as a special tax against the property.

SEWER AND WATER UTILITY

13.05 CROSS CONNECTIONS WITH PUBLIC WATER SYSTEM.

- (1) **DEFINITION.** A cross connection is defined as any physical connection or arrangement between 2 otherwise separate systems, one of which contains potable water from the Village water system and the other water from a private source, water of unknown or questionable safety or steam, gases or chemicals, whereby there may be a flow from one system to the other, the direction of flow depending on the pressure differential between the 2 systems.
- (2) **CROSS CONNECTIONS PROHIBITED.** No person shall establish or maintain or permit to be established or maintained any cross connection. No interconnection shall be established whereby potable water from a private, auxiliary or emergency water supply other than the regular public water supply of the Village may enter the supply or distribution system of the municipality, unless such private, auxiliary or emergency water supply and the method of connection and use of such supply shall have been approved by the Village Utility Board, Water and Sewer Division and by the Wisconsin Department of Natural Resources in accordance with NR 111.25(3), Wis. Adm. Code.
- (3) **INSPECTIONS.** The Plumbing Inspector or Deputy Plumbing Inspector shall cause inspections to be made of all properties served by the public water system where cross connections with the public water system is deemed possible. The frequency of inspections and reinspections based on potential health hazards involved shall be as established by the Plumbing Inspector and as approved by the Wisconsin Department of Natural Resources. Upon presentation of credentials, the Plumbing Inspector or his deputy shall have the right to request entry at any reasonable time to examine any property served by the connection to the public water system of the Village for cross connections. If entry is refused, such inspector shall obtain a special inspection warrant under §66.122, Wis. Stats. On request the owner, lessee or occupant of any property served shall furnish to the inspection agency any pertinent information regarding the piping system or systems on such property.

(4) DISCONTINUATION OF WATER SERVICE.

- (a) The Water Department of the Village is hereby authorized and directed to discontinue water service to any property wherein any connection in violation of this section exists and to take such other precautionary measures necessary to eliminate any danger of contamination of the public water system. Water service shall be discontinued only after reasonable notice and opportunity for hearing under Ch. 68, Wis. Stats., except as hereinafter provided. Water service to such property shall not be restored until the cross connection has been eliminated in compliance with the provisions of this section.
- (b) If it is determined by the Plumbing Inspector or his deputy that a cross connection or an emergency endangers public health, safety or welfare and requires immediate action, and a written finding to that effect is filed with the Village Clerk/Treasurer and delivered to the customer's premises, service may be immediately discontinued. The customer shall have an opportunity for hearing under Ch. 68, Wis. Stats., within 10 days of such emergency discontinuance.

13.06 RULES AND REGULATIONS. (Rep. & recr. #089-34)

The following rules and regulations in relation to the operation of the Village Water Works and Sewer System are hereby adopted and shall be considered a part of the contract with every person who shall obtain water or make a sewerage connection with such system:

- (1) **CONNECTIONS.** Any person owning property fronting upon any street or portion thereof wherein water pipes shall have been laid, shall make connections with such pipes and tap the same under the rules and regulations of the Committee.
- (2) **COST OF CONNECTION.** Each applicant for water service shall at the time of making application for such service, execute and deliver to the Committee a contract for such water service agreeing to pay the cost of putting in the service pipe and connections from the main to the water using property and to obey all the rules and regulations of the Committee and to pay the fixed rate for water used.
- (3) **CONNECTION AT OWNER'S EXPENSE.** The owner of every property who makes a sanitary sewer connection with the sanitary sewer shall make such a connection at his own expense. If under Section 11.06 it is necessary to make such connection and in the case of neglect or refusal of the owner or agent to do so, the Committee may install such connection and charge the expense thereof against the premises supplied, to be collected with the next water rates due against the premises.

- (4) **MAINTENANCE OF SEWER AND WATER SERVICES.** (Am. #92-23) All public sewer and water services within the Village extending from the street main to the property line, including all controls between the same, shall be maintained by the Village without cost to the owner of the adjoining property, except when they are damaged as a result of the negligence or carelessness of the property owner, an agent of the owner, a tenant or an occupant of the property, in which case they shall be repaired at the expense of the property owner. All sewer and water services inward from the property line shall be maintained in a proper condition, free of any defects, by and at the expense of the owner or occupant of the property. Notwithstanding any other provision of this section, each property owner shall be responsible for the installation, repair, maintenance and replacement of any laterals extending from the property owner's improvement to the main sewer and the Water and Sewer Utility shall be responsible for the main sewer only.
- (5) **WATER RATES, METERS, CHARGES AND RULES.** The authorized water rates and rules in Appendix B of the order of the Wisconsin Public Service Commission, dated September 21, 1989, as amended from time to time, are hereby incorporated by reference and shall constitute the water rates and rules of the Water Utility.

13.07 TAMPERING WITH WATER METERS. (Cr. #089-26)

- (1) No person shall tamper with, bypass, disconnect or remove any water meter, including any remote reading equipment with respect thereto, of the Sewer and Water Utility within the Village without first obtaining the approval of the Sewer and Water Utility.
- (2) Any person found to be in violation of this section shall, in addition to any penalties provided in Section 25.04 of this Municipal Code, be subject to a forfeiture equal to the cost of repairing, replacing or restoring any water meter having been tampered with, bypassed, disconnected or removed.

SEWER USE AND WASTEWATER RATE

13.10 DEFINITIONS.

APPROVING AUTHORITY. The Sewer and Water Committee of the Village or their authorized deputy, agent or representative.

BOD (denoting Biochemical Oxygen Demand). The quantity of oxygen utilized in the biochemical oxidation of organic matter in 5 days at 20°C, expressed as milligrams per liter (mg/l). Quantitative determination of BOD shall be made in accordance with procedures set forth in "Standard Methods."

BUILDING DRAIN. That part of the lowest horizontal piping of a drainage system which receives the discharge from soil, waste and other drainage pipes inside the walls of the building and conveys it to the building sewer, beginning 5' (1.5 meters) outside the inner face of the building wall.

BUILDING SEWER. The extension from the building drain to the public sewer or other place of disposal, also called house connection or house lateral.

CATEGORY A. Those sanitary sewer users who discharge normal domestic strength wastewater with concentrations of BOD no greater than 200 mg/1, suspended solids no greater than 250 mg/1 and phosphorus no greater than 6 mg/1.

CATEGORY B. Those sanitary sewer users who discharge wastewater with concentrations in excess of 200 mg/1 of BOD, 250 mg/1 of suspended solids and 6 mg/1 of phosphorus. Users whose wastewater exceeds the concentration for any one of these parameter shall be in Category B.

CHLORINE REQUIREMENT. The amount of chlorine in mg/1 which must be added to sewage to produce a residual chlorine as specified in the Wisconsin Pollutant Discharge Elimination System (WPDES) permit.

CITY. The City of Racine, Racine County, Wisconsin.

COMBINED SEWER. A sewer intended to receive both wastewater and storm or surface water.

COMPATIBLE POLLUTANTS. Biochemical oxygen demand, suspended solids, phosphorus, nitrogen, pH or fecal coliform bacteria, plus additional pollutants identified in the WPDES permit for the publicly owned wastewater treatment facility receiving the pollutants, if such works were designed to treat such additional pollutants and, in fact, do remove such pollutants to a substantial degree.

EASEMENT. An acquired legal right for the specified use of land owned by others for wastewater conveyance or treatment.

FLOATABLE OIL. Oil, fat or grease in a physical state such that it will separate by gravity from wastewater by treatment in an approved pretreatment facility. Wastewater shall be considered free of floatable oil if it is properly pretreated and the wastewater does not adversely interfere with the collection system.

GARBAGE. The residue from the preparation, cooking and dispensing of food, and from the handling, storage and sale of food products and produce.

GRANTEE. The Village for those projects in which the Village receives federal funding.

GROUND GARBAGE. The residue from the preparation, cooking and dispensing of food that has been shredded to such a degree that all particles will be carried freely in suspension under the flow conditions normally prevailing in public sewers with no particle greater than ½” in any dimension.

INCOMPATIBLE POLLUTANTS. Wastewater with pollutants that will adversely affect or disrupt the quality of wastewater treatment if discharged to a wastewater treatment facility.

INDUSTRIAL USER.

- (a) Any nongovernmental, nonresidential user of publicly owned treatment works which discharges more than the equivalent of 25,000 gals. per day (gpd) of sanitary wastes and which is identified in the Standard Industrial Classification Manual, 1972, Office of Management and Budget, as amended and supplemented under one of the following divisions:

Division A - Agriculture, Forestry, Fishing

Division B - Mining

Division D - Manufacturing

Division E - Transportation, Communications, Electric, Gas and
Sanitary Services

Division I - Services

1. Grantee may exclude domestic waste or discharges from sanitary conveniences in determining the amount of a user's discharge for purposes of industrial cost recovery.
 2. After applying the sanitary waste exclusion (if the grantee chooses to do so), dischargers in the above division that have a volume exceeding 25,000 gpd or the weight of BOD, suspended solids or phosphorus equivalent to that weight found in 25,000 gpd of sanitary waste are considered industrial users. Sanitary wastes are the wastes discharged from residential users.
- (b) Any nongovernmental user which discharges any wastewater containing toxic pollutants or which has any other adverse effect on the treatment works or receiving waters.
 - (c) A commercial user of an EOA funded individual system.

INDUSTRIAL WASTE. The wastewater from industrial process, trade or business as distinct from sanitary sewage.

MAJOR CONTRIBUTING INDUSTRY. An industry that:

- (a) Has a flow of 50,000 gals. or more per average workday.
- (b) Has a flow greater than 5% of the flow carried by the wastewater collection and treatment facilities receiving the waste.
- (c) Has a material in its discharge included on a list of toxic pollutants issued under §147.07(1), Wis. Stats.
- (d) Has a significant impact, either singularly or in combination with other contributing industries, on the wastewater treatment facility or the quality of its effluent.

MUNICIPALITY. The Village of Sturtevant.

NATURAL OUTLET. Any outlet, including storm sewers and combined sewer overflows, into a watercourse, pond, ditch, lake or other body of surface water or groundwater.

NORMAL, DOMESTIC STRENGTH WASTEWATER. Wastewater with concentrations of BOD no greater than 200 mg/1, suspended solids no greater than 250 mg/1 and phosphorus no greater than 6 mg/1.

OPERATION AND MAINTENANCE COSTS. All costs associated with the operation and maintenance of the wastewater collection and treatment facilities, as well as the costs associated with periodic equipment replacement necessary for maintaining capacity and performance of wastewater and collection and treatment facilities.

PARTS PER MILLION. A weight-to-weight ratio; the parts per million value multiplied by the factor 8.34 shall be equivalent to pounds per million gallons of water.

PERSON. Any and all persons, including any individual, firm, company, municipal or private corporation, association, society, institution, enterprise, governmental agency or other entity.

pH. The logarithm of the reciprocal of the hydrogen-ion concentration. The concentration is the weight of hydrogen ions, in grams per liter of solution. Neutral water, for example, has a pH value of 7 and a hydrogen-ion concentration 10^{-7} .

PHOSPHORUS. Total phosphorus and is expressed in mg/1 of P (phosphorus).

PUBLIC SEWER. Any publicly owned sewer, storm drain, sanitary sewer or combined sewer.

REPLACEMENT COSTS. Expenditures for obtaining and installing equipment, accessories or appurtenances which are necessary during the useful life of the wastewater collection and treatment facilities to maintain the capacity and performance for which such facilities were designed and constructed.

SANITARY SEWAGE. A combination of liquid and water carried wastes discharged from toilets and/or sanitary plumbing facilities.

SANITARY SEWER. A sewer that carries liquid and water carried wastes from residences, commercial buildings, industrial plants and institutions, together with minor quantities of ground, storm and surface waters that are not admitted intentionally.

SEWAGE. The spent water of a community. The preferred term is “wastewater.”

SEWER. A pipe or conduit that carries wastewater or drainage water.

SEWERAGE. The facilities used for collection, treatment and disposal of wastewater.

SEWER SERVICE CHARGE. A charge levied on users of the wastewater collection and treatment facilities to recover annual revenues for debt services, replacement costs and operation and maintenance expenses of such facilities. The user charge which covers operation and maintenance and replacement expenses is a part of the sewer service charge.

SHALL. Is mandatory; “MAY” is permissible.

SLUG. Any discharge of water or wastewater which in concentration of any given constituent or in quantity of flow exceeds for any period of duration longer than 15 minutes more than 5 times the average 24 hr. concentration of flows during normal operation and shall adversely affect the collection system and/or performance of the wastewater treatment works.

STANDARD METHODS. The examination and analytical procedures set forth in the most recent edition of “Standard Methods for the Examination of Water and Wastewater” published jointly by the American Public Health Association, the American Water Works Association and the Water Pollution Control Federation.

STORM DRAIN (sometimes termed Storm Sewer). A drain or sewer for conveying water, groundwater, subsurface water or unpolluted water from any source.

STORM WATER RUNOFF. That portion of the rainfall that is drained in the sewers.

SUSPENDED SOLIDS. Total suspended matter that either floats on the surface of or is in suspension in water, wastewater or other liquids and that is removable by laboratory filtering as prescribed in “Standard Methods,” and referred to as nonfilterable residue.

TOWN. The Town of Mt. Pleasant, Racine County, Wisconsin.

UNPOLLUTED WATER. Water of quality equal to or better than the effluent criteria in effect or water that would not cause violation of receiving water quality standards and would not be benefited by discharge to the sanitary sewers and wastewater treatment facilities provided.

USER CHARGE. A charge levied on users of the wastewater collection and treatment facilities for payment of operation and maintenance costs of such facilities.

VILLAGE. The Village of Sturtevant, Racine County, Wisconsin.

WASTEWATER. The spent water of a community. From the standpoint of source, it may be a combination of the liquid and water carried wastes from residences, commercial buildings, industrial plants and institutions, together with any groundwater, surface water and storm water that may be present.

WASTEWATER COLLECTION FACILITIES (or wastewater collection system). The structures and equipment required to collect and carry away domestic and industrial wastewater.

WASTEWATER TREATMENT FACILITY. The city’s arrangement of devices and structures for treating wastewater, industrial wastes and sludge. Sometimes used as synonymous with wastewater treatment plant.

WATERCOURSE. A natural or artificial channel for the passage of water, either continuously or intermittently.

WISCONSIN POLLUTANT DISCHARGE ELIMINATION SYSTEM (WPDES) PERMIT. A document issued by the Wisconsin State Department of Natural Resources which establishes effluent limitations and monitoring requirements for the regional wastewater treatment facility. WPDES permit and modifications thereof pertain to the City of Racine wastewater treatment facility.

13.11 USE OF THE PUBLIC SEWERS.

- (1) **SANITARY SEWERS.** No person shall discharge or cause to be discharged any unpolluted waters such as storm water, groundwater, roof runoff, subsurface drainage or cooling water into any sanitary sewer. Storm water runoff from limited areas, which may be polluted at times, may be discharged to the sanitary sewers by permission of the Approving Authority.
- (2) **STORM SEWERS.** Storm water, other than that exempted in sub. (1) above, and all other unpolluted drainage, shall be discharged to such sewers as are specifically designated as combined sewers or storm sewers or to a natural outlet approved by the Approving Authority and other regulatory agencies. Unpolluted industrial cooling water or process waters may be discharged, on approval of the Approving Authority, to a storm sewer, combined sewer or natural outlet.
- (3) **PROHIBITIONS AND LIMITATIONS.** Except as hereinafter provided, no person shall discharge or cause to be discharged any of the following described waters or wastes to any public sewer:
 - (a) Any gasoline, benzene, naphtha, fuel oil or other flammable or explosive liquid, solid or gas.
 - (b) Any waters or wastes containing toxic or poisonous solids, liquids or gases in sufficient quantity, either singly or by interaction with other wastes, to injure or interfere with any waste treatment or sludge disposal process, constitute a hazard to humans or animals or create a public nuisance in the receiving waters of the wastewater treatment facility.
 - (c) Any waters or wastes having a pH lower than 5.5 or having any other corrosive property capable of causing damage or hazard to structures, equipment and personnel of the wastewater collection and treatment facilities.
 - (d) Any waters or wastes having a pH in excess of 9.0.
 - (e) Solid or viscous substances in quantities or of such size capable of causing obstruction to the flow in public sewers or other interference with the proper operation of the wastewater collection and treatment facilities, such as, but not limited to, ashes, cinders, sand, mud, straw, shavings, metal, glass, rags, feathers, tar, plastics, wood, unground garbage, whole blood, paunch manure, hair and fleshings, entrails and paper dishes, cups, milk containers, etc., either whole or ground by garbage grinders.

- (f) The following described substances, materials, waters or waste shall be limited in discharges to municipal sanitary sewer systems to concentrations or quantities which will not harm either the sanitary sewers, wastewater treatment process or equipment; will not have an adverse effect on the receiving stream; or will not otherwise endanger lives, limbs, public property or constitute a nuisance. The Approving Authority may set limitations lower than the limitations established in this subchapter if, in its opinion, more severe limitations are necessary to meet the above objectives. In forming its opinion as to the acceptability, the Approving Authority will give consideration to such factors as the quantity of subject waste in relation to flows and velocities in the sewers, materials of construction of the sanitary sewers, the wastewater treatment process employed, capacity of the waste in the wastewater treatment facility and other pertinent factors. The limitations or restrictions on materials or characteristics of waste or wastewaters discharged to the sanitary sewers which shall not be violated without approval of the Approving Authority are as follows:

1. Wastewater having a temperature higher than 150°F (65°C).
2. Wastewater containing more than 25 mg/l of petroleum oil, nonbiodegradable cutting oils or products of mineral oil origin.
3. Wastewater from industrial plants containing floatable oils, fat or grease.
4. Any garbage that has not been properly shredded. Garbage grinders may be connected to sanitary sewers from homes, hotels, institutions, restaurants, hospitals, catering establishments or similar places where garbage originates from the preparation of food in kitchens for the purpose of consumption on the premises or when served by caterers.
5. Any waters or wastes containing iron, chromium, copper, zinc and other toxic and nonconventional pollutants to such degree that any such material received in the composite wastewater in concentrations that exceed levels specified by federal, state or local authorities.
6. Any waters or wastes containing odor producing substances exceeding limits which may be established by the Approving Authority.
7. Any radioactive wastes or isotopes of such half-life or concentration as may exceed limits established by the Approving Authority in compliance with applicable state or federal regulations.

8. Any waters or wastes containing substances which are not amenable to treatment or reduction by the wastewater treatment processes employed or are amenable to treatment only to such degree that the wastewater treatment facility effluent cannot meet the requirements of other agencies having jurisdiction over discharge to the receiving waters.
 9. Any water or wastes which, by interaction with other water or wastes in the sanitary sewer system, release obnoxious gases, form suspended solids which interfere with the collection system or create a condition deleterious to structures and treatment processes.
 10. Materials which exert or cause:
 - a. Unusual BOD, chemical oxygen demand or chlorine requirements in such quantities as to constitute a significant load on the wastewater treatment facility.
 - b. Unusual volume of flow or concentration of wastes constituting “slugs” as defined herein.
 - c. Unusual concentrations of inert suspended solids such as, but not limited to, fuller’s earth, lime slurries and lime residues, or of dissolved solids such as, but not limited to, sodium sulfate.
 - d. Excessive discoloration such as, but not limited to, dye wastes and vegetable tanning solutions.
 - e. Incompatible pollutants in excess of the allowed limits as determined by city, State and federal rules and regulations in reference to pretreatment standards developed by the Environmental Protection Agency, 40 CFR 403.
 - (g) The Village shall comply with all the requirements of the City of Racine WPDES Permit and of all modifications thereof. No discharge shall be allowed into the sanitary sewers that is in violation of the requirements of the WPDES Permit and the modifications thereof.
 - (h) All waters or wastes entering the system shall be subject to all of the provisions of the Wastewater Control Ordinance of the City of Racine.
- (4) **SPECIAL ARRANGEMENTS.** No statement contained in this section shall be construed as prohibiting any special agreement between the Approving Authority and any person whereby an industrial waste of unusual strength or character may be

admitted to the wastewater collection and treatment facilities, either before or after pretreatment, provided that there is no impairment of the functioning of the wastewater collection and treatment facilities by reason of the admission of such wastes and no extra costs are incurred by the Village without recompense by the person, provided that all rates and provisions set forth in this subchapter are recognized and adhered to.

- (5) **NEW CONNECTIONS.** New connections to the Village's sanitary sewer system will be allowed only if there is available capacity in all of the downstream wastewater collection and treatment facilities.

13.12 CONTROL OF INDUSTRIAL WASTES DIRECTED TO PUBLIC SEWERS.

(1) **SUBMISSION OF BASIC DATA.**

- (a) Within 3 months after passage of this subchapter, each person who discharges industrial wastes to a public sewer shall prepare and file with the Approving Authority a report that shall include pertinent data relating to the quantity and characteristics of the wastes, discharged to the wastewater collection and treatment facilities. The Approving Authority may require that this data be provided annually at a time specified by the Approving Authority. The following forms or the information needed to complete them will be accepted:

1. Annual NR 101 "Effluent Reporting Form".
2. Form 3400-28 "Industrial Waste Contribution to Municipal System".

- (b) Similarly, each person desiring to make a new connection to a public sewer for the purpose of discharging industrial wastes shall prepare and file with the Approving Authority a report that shall include actual or predicted data relating to the quantity and characteristics of the waste to be discharged.

- (c) The above is required to comply with the City of Racine WPDES Permit.

- (2) **EXTENSION OF TIME.** When it can be demonstrated that circumstances exist which would create an unreasonable burden on the person to comply with the time schedule imposed by sub. (1), a request for extension of time may be presented to the Approving Authority for consideration.

- (3) **INDUSTRIAL DISCHARGES.** If any waters or wastes are discharged or are proposed to be discharged to the public sewers, which waters or wastes contain substances or possess the characteristics enumerated in Section 13.11 and which in

the judgment of the Approving Authority have a deleterious effect upon the sewerage works, processes, equipment or receiving waters or which otherwise create a hazard to life, health or constitute a public nuisance, the Approving Authority may:

- (a) Reject the wastes;
 - (b) Require pretreatment to an acceptable condition for discharge to the public sewers;
 - (c) Require control over the quantities and rates of discharge; and/or
 - (d) Require payment to cover the added cost of handling and treating the wastes not covered by existing taxes or sewer charges under the provisions of Section 13.11(4).
- (4) **CONTROL MANHOLES.** Each person discharging industrial wastes into a public sewer shall, at the discretion of the Approving Authority, construct and maintain one or more control manholes or access points to facilitate observation, measurement and sampling of his wastes, including domestic sewage.
- (5) **PRETREATMENT OF WASTEWATER.**
- (a) Ordinance Provisions Adopted. The provisions of sec. 98-150 through 98-155 of the Code of Ordinances of the City of Racine relating to pretreatment of wastewater, are hereby adopted by reference, the same as if fully set forth herein.
 - (b) Penalties and Costs.
 - 1. **Civil Penalties.** Any industrial user who is found to have violated an order of the Board of Standards or who willfully or negligently failed to comply with any provisions of this section or any orders, rules, regulations and permits issued hereunder, shall forfeit not more than \$1,000 for each offense. Each day on which a violation shall occur or continue shall be deemed a separate and distinct offense. In addition to the forfeitures provided herein, the Village may recover reasonable attorneys' fees, court costs, court reporters' fees and other costs and expenses of litigation.
 - 2. **Costs of Damages.** Any industrial user violating any of the provisions of this section which causes a deposit, obstruction, damage or other impairment to the Racine POTW shall become liable to the Village and/or

the utility for any expenses, losses or damages caused by such violation. The Village and the utility may add to the industrial user's charges and fees the costs assessed for any cleaning, repair or replacement work caused by the violation. Any refusal to pay the assessed costs shall constitute a violation of this section.

3. Falsifying Information. Any person who knowingly makes any false statements, representation or certification on any application, record, report, plan or other document filed or required to be maintained pursuant to this section or the wastewater discharge permit, or who falsifies, tampers with or knowingly renders inaccurate any monitoring device or method required under this section shall, upon conviction, be subject to a forfeiture of not more than \$1,000.
- (6) GREASE, OIL AND SAND INTERCEPTORS. Grease, oil and sand interceptors shall be provided when, in the opinion of the Approving Authority, they are necessary for the proper handling of liquid wastes containing floatable grease in excessive amounts, as specified in Section 13.11(3)(f)3., or any flammable wastes, sand or other harmful ingredients; except that such interceptors shall not be required for private living quarters or dwelling units. All interceptors shall be of a type and capacity approved by the Approving Authority and shall be located as to be readily and easily accessible for cleaning and inspection. In maintaining these interceptors, the owner shall be responsible for the proper removal and disposal by appropriate means of the captured material and shall maintain records of the dates and means of disposal which are subject to review by the Approving Authority. Disposal of the collected materials performed by owner's personnel or currently licensed waste disposal firms must be in accordance with currently acceptable Department of Natural Resources (DNR) practice.
- (7) ANALYSES. All measurements, tests and analyses of the characteristics of waters and wastes to which reference is made in this section shall be determined in accordance with the edition of "Standard Methods for the Examination of Water and Wastewater," published by the American Public Health Association, and with the Federal Regulations 40 CFR 136, "Guidelines Establishing Test Procedures for Analysis of Pollutants." Sampling methods, location, time, durations and frequencies are to be determined on an individual basis subject to approval by the Approving Authority. Determination of the character and concentration of the industrial wastes shall be made by the person discharging them or his agent, as designated and required by the Approving Authority. The Approving Authority may also make its own analyses on the wastes and these determinations shall be binding as a basis for sewer service charges.

- (8) **SUBMISSION OF INFORMATION.** Plans, specifications and any other pertinent information relating to proposed flow equalization, pretreatment or processing facilities shall be submitted for review of the Approving Authority prior to the start of their construction if the effluent from such facilities is to be discharged into the public sewers.

13.13 BASIS FOR SEWER SERVICE CHARGES.

- (1) **SEWER USERS SERVED BY WATER UTILITY WATER METERS.** There is hereby levied and assessed upon each lot, parcel of land, building or premises having a connection with the wastewater collection system and being served with water solely by the Water Utility, a wastewater treatment service charge based, in part, on the quantity of water used as measured by the Water Utility water meter used upon the premises.
- (2) **SEWER USERS SERVED BY PRIVATE WELLS.** If any person discharging sewage into the public sanitary sewer system procures any part or all of his water from sources other than the Water Utility, all or part of which is discharged into the public sanitary sewer system, the person shall have water meters installed by the Water Utility at his expense for the purpose of determining the volume of water obtained from these sources. Where sewer meters are already installed, water meters will not be required. The water meters shall be furnished by the Water Utility and installed under its supervision, all costs being at the expense of the person requiring the meter. The Water Utility will charge for each meter a rental charge set by the Water Utility to compensate for the cost of furnishing and servicing the meter. The rental charge shall be billed at the time the sewer charge is billed.
- (3) **DEDUCT METERS.** If a user feels that a significant amount of metered water does not reach the sanitary sewer, he can, at his own expense through the Approving Authority, install such additional meters as are necessary to calculate the volume not discharged to the sanitary sewer. Requests for a second meter or metered service shall be made in writing to the Approving Authority.
- (4) **RESIDENTIAL SUMMER IRRIGATION ALLOWANCE.** The residential (up to and including 4 family units) sewer service charge shall be determined for the third quarter in the following manner: The metered water volume used as a basis for the sewer service charge shall be the second quarter water volume or the third quarter volume, whichever is less, provided the second quarter water volume was based on a full quarter of water usage.

13.14 AMOUNT OF SEWER SERVICE CHARGES. (Am. #089-34)

- (1) **SEWER RATES AND CHARGES.** The authorized sewer rates and rules as set forth in Appendix D of the order of the Wisconsin Public Service Commission, dated September 21, 1989, as amended from time to time, are hereby incorporated by reference and shall constitute the water rates and a portion of the rules of the Sewer Utility.
- (2) **REASSIGNMENT OF SEWER USERS,** The Approving Authority will reassign sewer users into appropriate sewer service charge categories if wastewater sampling programs, and other related information, indicates a change of categories is necessary.
- (3) **OPERATION, MAINTENANCE AND REPLACEMENT FUND ACCOUNTS.**
 - (a) The annual replacement revenues shall be maintained in a separate account by the Village to be used solely for the purpose of purchasing replacement parts and/or equipment. Funds may be withdrawn from this account for authorized uses only with the approval of the Approving Authority.
 - (b) All revenues collected for the replacement fund and operation and maintenance of the wastewater collection facilities shall be used solely for such purposes.

13.15 BILLING PRACTICE.

- (1) **CALCULATION OF SEWER SERVICE CHARGES.** Sewer service charges that shall be assessed to Village sewer users shall be computed by the village according to the rates and formulas presented in Section 13.14 of this chapter.
- (2) **SEWER SERVICE CHARGE BILLING PERIOD.** Sewer service charges shall be billed by the Village to the sewer users on a quarterly basis.
- (3) **PAYMENT OF SEWER SERVICE CHARGES.** Bills for sewer service charges become due and payable on the 20th of the month following the quarter for which service is rendered.
- (4) **PENALTIES.** Such sewer service charges levied by the Village against the sewer users in accordance with this chapter shall be a debt due to the Village and shall be a lien upon the property. If the Village is unable to collect this debt, it shall be deemed delinquent and may be placed on the next year's tax roll and be collected as other taxes are collected. Change of ownership or occupancy of premises found delinquent shall not be cause for reducing or eliminating these penalties.

13.16 RIGHT OF ENTRY, SAFETY AND IDENTIFICATION.

- (1) **RIGHT OF ENTRY.** The Approving Authority or other authorized employees of the Village, bearing proper credentials and identification, shall be permitted to enter all properties for the purpose of inspection, observation or testing, all in accordance with the provisions of this chapter and §66.122, Wis. Stats.
- (2) **IDENTIFICATION, RIGHT TO ENTER EASEMENTS.** The Approving Authority or other authorized employees of the Village, bearing proper credentials and identification, shall be permitted to enter all private properties through which the Village holds a negotiated easement for the purpose of, but not limited to, inspection, observation, measurement, sampling, repair and maintenance of any portion of the sewage works lying within such easement, all subject to the terms, if any, of this negotiated easement.

13.17 SEWER CONSTRUCTION AND CONNECTIONS.

- (1) **WORK AUTHORIZED.** No unauthorized person shall uncover, make any connections with or opening into, use, alter or disturb the sanitary sewer or appurtenance thereof without first obtaining a written permit from the Approving Authority.
- (2) **SEWER CONNECTION CHARGE.** (Am. #096-11; #097-30)
 - (a) Prior to the issuance of a permit allowing connection to the sanitary sewer system of the Village of Sturtevant, the Clerk/Treasurer shall collect the connection charge set forth below for each applicable lot, parcel of land or premises:

- 1. Single-Family Residential

<u>Year of Connection</u>	<u>Amount of Charge</u>
2002	\$3,200.00
2003	\$3,264.00
2004	\$3,329.28
2005	\$3,395.87
2006	\$3,463.78
2007	\$3,533.06
2008	\$3,603.72
2009	\$3,675.79
2010	\$3,749.31
2011	\$3,824.30

2. Multi-Unit Residential

<u>Year of Connection</u>	<u>Charge for 1st Unit</u>	<u>Charge for 2nd Unit</u>	<u>Charge for Each Additional Unit</u>
2002	\$3,200.00	\$2,000.00	\$1,500.00
2003	\$3,264.00	\$2,040.00	\$1,530.00
2004	\$3,329.28	\$2,080.80	\$1,560.60
2005	\$3,395.87	\$2,122.42	\$1,591.81
2006	\$3,463.78	\$2,164.86	\$1,623.65
2007	\$3,533.06	\$2,208.16	\$1,656.12
2008	\$3,603.72	\$2,252.32	\$1,689.24
2009	\$3,675.79	\$2,297.37	\$1,723.03
2010	\$3,749.31	\$2,343.32	\$1,757.49
2011	\$3,824.30	\$2,390.18	\$1,792.64

3. All Commercial, Industrial, Private and Public Institutions shall be charged on a reasonable basis as determined by the Village based on such factors as flow and nature of the sewer or waste, with a charge in an amount as set forth below or \$400.00 per fixture, whichever amount is greater:

AMOUNT OF CHARGE

<u>Meter Size</u>										
<u>Year of Connection</u>		<u>5/8"</u>	<u>3/4"</u>	<u>1"</u>	<u>1-1/2"</u>	<u>2"</u>	<u>3"</u>	<u>4"</u>	<u>6"</u>	<u>8"</u>
	2002	\$3500.00	\$3600.00	\$3800.00	\$4300.00	\$5000.00	\$6300.00	\$8500.00	\$13500.00	\$15000.00
	2003	3570.00	3672.00	3876.00	4386.00	5100.00	6426.00	8670.00	13770.00	15300.00
	2004	3641.40	3745.44	3953.52	4473.72	5202.00	6554.52	8843.40	14045.40	15606.00
	2005	3714.23	3820.35	4032.59	4563.19	5306.04	6685.61	9020.27	14326.31	15918.12
	2006	3864.28	3896.76	4113.24	4654.45	5412.16	6819.32	9200.68	14612.84	16236.48
	2007	3964.28	3974.70	4195.50	4747.53	5520.40	6955.71	9384.69	14905.10	16561.21
	2008	3941.57	4054.19	4279.41	4842.48	5630.81	7094.82	9572.38	15203.20	16892.43
	2009	4020.40	4135.27	4365.00	4939.33	5743.43	7236.72	9763.83	15507.26	17230.28
	2010	4100.81	4217.98	4452.30	5038.12	5858.30	7381.45	9959.11	15817.41	17574.89
	2011	4182.83	4302.34	4541.35	5138.88	5975.47	7529.08	10158.29	16133.76	17926.39

Charges for meter sizes in excess of 8" will be determined on a case-by-case basis by the sewer utility, after consultation with its engineer.

- (b) No unit connection charge shall be collected by the Village if the property to be serviced has been previously assessed for such connection charge.
- (c) The property owner shall install the lateral from the sewer main at his/her own expense, which shall not be deducted from the connection fee under any circumstances.
- (d) Additional connection charge:
 - 1. In each and every case where a lot or parcel of land is connected to a sewer installed without levy of a special assessment against a lot or parcel, there shall be an additional connection charge for each front foot of land abutting or fronting a road. The additional charge shall be equal to the cost per assessable foot of the lot abutting or fronting upon the road, based upon the actual cost of installation of the sewer line, with interest at the rate of 5 percent per annum from the time of installation to the time of connection, including the cost of the size of the sewer main and its installation at the depth necessary to furnish sewer service to the lot or parcel of land. Where actual cost figures are not available, the Village Engineer shall estimate the cost utilizing available historical data. Such additional charge shall be collected simultaneously with the regular connection charge.
- (3) **USE OF OLD BUILDING SEWERS.** Old building sewers may be used in connection with new buildings only when they are found on examination and test by the Approving Authority to meet all requirements for this subchapter.
- (4) **MATERIALS AND METHODS OF CONSTRUCTION.** The size, slope, alignment, materials of construction of a building sewer and the methods to be used in excavating, placing of the pipe, jointing, testing and backfilling the trench shall all conform to the requirements of the building and plumbing code or other applicable rules and regulations of the Village. In the absence of code provisions or in amplification thereof, the materials and procedures set forth in appropriate specifications of the A.S.T.M. and W.P.C.F. Manual of Practice No. 9 shall apply.
- (5) **BUILDING SEWER GRADE.** Whenever practical, the building sewer shall be brought to the building at an elevation below the basement floor. In all buildings in which any building drain is too low to permit gravity flow to the public sewer, sanitary sewage carried by such building drain shall be lifted by an approved means and discharged to the building sewer.
- (6) **STORM AND GROUNDWATER DRAINS.** No person shall make connection of roof downspouts, exterior foundation drains, areaway drains or other sources of

surface runoff or groundwater to a building sewer or building drain which is connected directly or indirectly to a sanitary sewer. All existing downspouts or groundwater drains, etc., connected directly or indirectly to a sanitary sewer must be disconnected within 60 days of the date of an official written notice from the Approving Authority. Exceptions to the above may be made by the Approving Authority.

- (7) **CONFORMANCE TO PLUMBING CODES.** The connection of the building sewer into the sanitary sewer shall conform to the requirements of the building and plumbing code or other applicable rules and regulations of the Village or the procedures set forth in appropriate specifications of the A.S.T.M. and W.P.C.F. Manual of Practice No. 9. All such connections shall be made gastight and watertight. Any deviation from the prescribed procedures and materials must be approved by the Approving Authority before installation.
- (8) **INSPECTION OF CONNECTION.** The applicant for the building sewer permit shall notify the Approving Authority when the building sewer is ready for inspection and connection to the public sewer. The connection shall be made under the supervision of the Approving Authority.
- (9) **BARRICADES; RESTORATION.** All excavations for the building sewer installation shall be adequately guarded with barricades and lights so as to protect the public from hazard. Streets, sidewalks, parkways and other public property disturbed in the course of the work shall be restored in a manner satisfactory to the Approving Authority.

13.20 VIOLATIONS AND PENALTIES.

- (1) **WRITTEN NOTICE OF VIOLATION.** Any person found to be violating any provision of this chapter, except Section 13.15, shall be served by the Village with a written notice stating the nature of the violation and providing a reasonable time for the satisfactory correction thereof. The offender shall, within the period of time stated in such notice, permanently cease all violations.
- (2) **ACCIDENTAL DISCHARGE.** Any person found to be responsible for accidentally allowing a deleterious discharge into the sewer system which causes damage to the treatment facility and/or receiving body of water shall, in addition to a forfeiture, pay an amount to cover damage, both values to be established by the Approving Authority.
- (3) **CONTINUED VIOLATIONS.** Any person who shall continue any violation beyond the notice time limit provided shall, upon conviction thereof, forfeit not more than \$500 together with the cost of prosecution. Each day in which any

violation is continued beyond the notice time limit shall be deemed a separate offense.

- (4) **LIABILITY TO VILLAGE FOR LOSSES.** Any person violating any provision of this chapter shall become liable to the Village for any expense, loss or damage occasioned by reason of such violation which the Village may suffer as a result thereof. The Approving Authority must be notified immediately by any person becoming aware of any violations that occur.

13.21 APPEALS.

- (1) Any user, permit applicant or holder affected by any decision, action or determination, including cease and desist orders, made by the Approving Authority interpreting or implementing the provisions of this chapter or in any permit issued herein, may file with the Approving Authority a written request for reconsideration within 10 days of the date of such decision, action or determination, setting forth in detail the facts supporting the user's request for reconsideration. The Approving Authority shall render a decision on the request for reconsideration to the user, permit applicant or holder in writing within 15 days of receipt of request. If the ruling on the request for reconsideration made by the Approving Authority is unsatisfactory, the person requesting reconsideration may, within 10 days after notification of the action, file a written appeal with the Village Board.
- (2) A fee of \$25 shall accompany any appeal to the Village Board for their ruling. This fee may be refunded if the appeal is sustained in favor of the appellant. The written appeal shall be heard by the Village Board within 45 days from the date of filing. The Village Board shall make a final ruling on the appeal within 60 days from the date of filing.

13.22 AUDIT.

The Village shall conduct an annual audit to maintain the proper proportion between users and user classes of the sewer service charge system, and to ensure that adequate revenues are available to meet operation and maintenance expenses, replacement and debt service costs.

13.23 EFFECTIVE DATE.

- (1) **DATE OF EFFECT.** This subchapter shall take effect and be in force from and after March 10, 1980.

- (2) DATE OF ENACTMENT (APPROVAL). Adopted by the Board of the Village of Sturtevant in the County of Racine and the State of Wisconsin on the 4th day of March, 1980.